Attorney/Docket No. 31132.00237

Customer No. 000027683

In re application of:

Ferguson, et al.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3732

9999999 Serial No.: 10/799,178 Examiner: Unknown

Filed: March 12, 2004

For: Technique and Instrumentation for Intervertebral Prosthesis Implantation Using Independent Landmarks

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment **Commissioner For Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

Julie/M. Nickols

Registration No. 50,826

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File: 31132.237

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In place of PTO-1449	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARY OFFICE			Complete if Known		
Form	(AUI	6 2 6 200	M 20	Application Number	10/799,178	
INFO	RMATION D			Filing Date	March 12, 2004	
STA	TEMENT BY	ARRE	EANT	Applicant(s)	Ferguson, et al.	
	ise as many sheets			Art Unit	3732	
				Examiner Name	Unknown	
SHEET	1	OF	1	Attorney Docket Number	31132.237	

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication/filing Date	Name of Patentee or Applicant of Cited Document
	A1	5865846	02/02/1999	Bryan, et al.
	A2	6083228	07/04/2000	Michelson
	A3	6159214	12/12/2000	Michelson
	A4	6224607	05/01/2001	Michelson
	A5	10/303,569	11/25/2002	Bryan, et al.
	A6	6517544	02/11/2003	Michelson
	A7	10/698,185	10/31/2003	Bieler, et al.
	A8	6692501	02/17/2004	Michelson
	A9	10/799,835	03/12/2004	Ferguson, et al.
	A10	6740087	05/25/2004	Knox
			 	

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code – Number – Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation Y/N

NON-PATENT LITERATURE DOCUMENTS					
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published			
	C1	VINCENT BRYAN, M.D., "Bryan Cervical Disc System; Single Level Surgical Technique", Spinal dynamics Restoring Function, 2002, pages 1-34.			

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

R-83155.1 Customer No. 000027683